My name is Marty Adams. I am a Public Health Sanitarian for Brown County Health Department. A Sanitarian is a specialist who evaluates environmental conditions in a variety of situations. I spend most of my time in licensed retail food stores, restaurants and bars near Lambeau Field. I am speaking today not to tell you about the 5,000 people that die from foodborne illnesses in the United States after eating contaminated food. I wish to tell you about that 53,000 people die from second-hand smoke each year due to the environment they live or work in, and I am potentially one of them. I have never lived in a home or apartment that had a smoker, however I work in restaurants, bars and other public work places that allow smoking every day. I have spoken to my employer about secondhand smoke and nothing has been done. I have had County residents call me about the excessive smoke from outdoor burning wood furnaces and even next door neighbors who smoke. I have been able to use existing laws to remediate these issues. There is, however, no law on secondhand smoke in Brown County for workplaces for all employees. Based on my experience, I believe our legislators must vote to change Wisconsin to a smoke-free workplace for everyone, which must include restaurants and bars.

Many days I go home with headaches from secondhand smoke from working in restaurants and bars that allow smoking. My wife and children often complain about the stench from my clothes and coat after a days work. Often my clothes go in the washing machine and my coat must go to be hung on the porch to remove the odor or my family ends up with headaches. I know that these headaches are caused by the smoke. The medical field has proven that smoking causes strokes, heart attacks and other medical conditions such as asthma. The headaches are due to the blood vessel constriction, or narrowing from the smoke. My health and the health of others is very important to me.

My life and the lives of others who are exposed to secondhand smoke has been and will continue to be shortened by exposure to secondhand smoke. It is time for a change! Sanitarians must go into bars, restaurants and retail food stores to assess the environment for serving food to the public. Secondhand smoke is an occupational hazard that is totally preventable. Everybody in my office – 5 Sanitarians are in support of the smoke-free workplace, SB 150 Bill.

All five live in smoke-free homes, yet are exposed to secondhand smoke on a daily basis in bars and restaurants. I have spoken with the restaurant employees who are also exposed to secondhand smoke who have the same health concerns. My occupation, however, does not allow me to go next door and work in a smoke-free environment;

SOMEONE MUST go in to license and inspect these businesses. My livelihood is from using my college education and state license. Over a four year period, I have invested \$50-60,000 to get a college education. An additional two years of on the job training was needed to become a Registered Sanitarian. My health and my ability to earn a living is being reduced by secondhand smoke. If I don't do the job, someone else will. Should anyone have to be exposed to tobacco smoke with the information we have today?

The Surgeon General has stated that there is no safe level of secondhand smoke exposure. The thousands of people who died prematurely due to smoking and secondhand smoke can be drastically reduced. The millions of dollars spent on health care can be reduced by eliminating secondhand smoke. This will cut my taxes and save people's lives.

My daughter turned 14 on Monday...her first Christmas Eve we spent in the Emergency room due to secondhand smoke at my wife's uncle's home. After several weeks of medication to correct the irritated lungs, she recovered. She now takes an over the counter asthma medication and is susceptible to respiratory problems. We have not been back there since. My wife's aunt is now disabled. She has been in a nursing home but still smoked 2 packs per day. She and her husband have both finally given up smoking in the last year due to major health problems for both of them. They are both in their early 50's and have had strokes, heart attacks and respiratory problems. Should the public be exposed to toxic smoke that is proven to cause health problems?

In random air quality tests done in bars and restaurants in Wisconsin, the air quality in some facilities is horrible. The EPA has set the particulate matter fro a 24 hour period at 35 micrograms/M3 Bars have tested over 500 micrograms/M3 from tobacco smoke.

Because the toxic pollution is contained on the property of the property owner and employees don't complain, these businesses are exempt. In reality all of us are paying for additional health care costs due to the poor air quality. Scientific studies have found an association between exposure to particulate matter and significant health problems. Those health problems are aggravated asthma, chronic bronchitis, reduced lung function, irregular heartbeat, heart attack, and premature death in people with heart or lung disease. This is my concern for myself, my family and the public. This must be stopped as soon as possible in all workplaces in Wisconsin. In conclusion, no one should need to work in a smoke-filled environment. People will continue to eat and drink in bars, restaurants and other workplaces without smoke. I know they will. The best policy and the only policy that makes any sense is a smoke-free workplace policy for everyone!

Marty Adams 1848 Mill Road Greenleaf, WI 54126-9783 To: Representative Hines and Assembly Public Health Committee Colleagues

From: Diane C. Reis, MD/MPH student, University of Wisconsin School of Medicine and Public Health

Re: Please support AB 834

Assembly Public Health Committee members:

My name is Diane Reis. I am currently in my third year of school at the University of Wisconsin, pursuing my medical degree and a Master's in Public Health. I hope to pursue a career in either family medicine our primary care pediatrics and have a strong interest in working with underserved communities. I also strongly believe that the future of medical care must be more oriented towards promoting healthy lifestyles and preventing disease than intervening once pathology exists. I am sharing this with you not because this is anything particularly extraordinary, but rather because I am hoping to be exactly the sort of doctor that, statistically, the State of Wisconsin needs. There are already primary care shortages in some areas of the state and these are predicted to increase in the coming decade.

I am here today to tell you a few of the reasons why I would like to practice in a smoke free state:

- Helping patients quit smoking over the long term is one of the biggest challenges a
 primary care physician faces, and the single biggest thing we can do to help someone
 improve their health. Patients say that places like bars and restaurants where they are
 around others who are smoking are some of the most challenging places to maintain
 their resolve to quit. By passing the Breathe Free Legislation, we will be helping doctors
 and patients;
- Asthma in children and chronic lung diseases in adults are pervasive and dangerous.
 These patients are more sensitive than most to indoor air quality. As a future physician,
 I believe that we have a duty to protect these vulnerable people;
- Everyone has a right to a fair shot at good health. Right now, those people with more education and a higher income, who already have longer, healthier lives, are likely to be able to choose to work in a smoke-free environment. The poor, the less educated, and minorities, on the other hand, are more likely to have no choice but to work in a place where they are constantly exposed to smoke. Wisconsin received a D for health disparities in the Health of Wisconsin Report Card released last summer. I want to practice in a state that aims higher;

- I look forward to having children in the future and want to raise those children in a state where they will have the least possible exposure to cigarette smoke;
- Most importantly, it is a big job helping people and families live healthier lives. No
 matter how many doctors, public health workers, and other providers we have, this is
 not something that we can accomplish alone. I want to practice in a state that partners
 with its providers to offer its citizens the best health possible, and that includes smoke
 free workplaces.

Thank you for your time, attention, and support for this critical piece of legislation. I am happy to answer any questions.

Sincerely,

Diane C. Reis

dcreis@wisc.edu

608-354-5831



Wisconsin Medical Society

Your Doctor. Your Health.

TO:

Assembly Public Health Committee

Rep. Hines, Chair

FROM: Patrick Remington, MD, MPH

Council on Health Care Quality and Population Health, Chairperson

DATE: February 27, 2008

RE: Support of Assembly Bill 834 (companion to Senate Bill 150) the "Breathe Free Wisconsin Act"

I am pleased to be here to testify in support of AB 834, both as one of the 11,500 members of the Wisconsin Medical Society and a Board Member of the Midwest Division of the American Cancer Society.

Today, you will hear from both sides on this issue.

You'll hear from public health advocates about the importance of this policy in protecting the health of the public. The evidence is incontrovertible. Over 30 years of research and hundreds of studies have demonstrated the health effects of passive smoke.

We conducted a study right here in Wisconsin to examine the effects of the smoke-free policies that were enacted in Madison and Appleton over the past few years. Our research demonstrated that these policies led to almost complete elimination of indoor air pollutants from cigarette smoke. More importantly, we showed that non-smoking bartenders reported significantly less respiratory symptoms, thereby reducing their risk of long-term health consequences.

But you don't need to know about epidemiology to understand how passive smoke effects health. All you have to do is spend an hour in a smoky room to feel the effects. People who live in Madison and Appleton have grown accustomed to eating and drinking in a smoke-free environment. Just ask them if they want to go back to the way it was, or what it's like to travel to another city that permits smoking in bars and taverns.

Although the evidence on the health effects is clear and compelling, you will hear from others who claim that the costs of this policy far exceed the potential benefits. They will argue that a policy that bans smoking in bars and taverns will have a tremendous effect on their business. But what does the evidence show?

Will this policy hurt business? It depends. Research in communities in Wisconsin and elsewhere in the U.S. has shown that these policies do not hurt the hospitality business. People continue to go out to dine and drink.

There is evidence that businesses respond to this policy by making changes in their business. Some see an increase in families and food sales, and others see declines in alcohol sales late in the evening. Regardless, studies show that overall business in bars and taverns does not decline.

AB 834 will actually reduce one of the suspected adverse effects of smoke-free policies when they are implemented in some communities and not in others. Although few research studies have been conducted, anecdotal reports suggest that bars that are on the edge of a smoke-free community, that serve only alcohol, may lose business to bars that permit smoking. Of course, these border effects shift business, but may not affect the hospitality business overall.

But let me be very clear. AB 834 will hurt other businesses in Wisconsin—the tobacco industry and those who profit from the sales of cigarettes. Research has clearly demonstrated that communities and states that have implemented statewide smoke-free policies have seen reductions in the smoking rates. These policies change the social norm from one where drinking and smoking are inextricably linked to one where people can go out to eat and drink without smoking.

I want to close by thanking the sponsors of this legislation for their leadership and commitment to this important public health policy. It's not whether--but when--Wisconsin becomes a smoke-free state and provides all its residents safe and healthy places to live and work.

Patrick L. Remington, M.D., M.P.H.

Professor and Director

University of Wisconsin Population Health Institute UW School of Medicine and Public Health

760 WARF Building 610 Walnut Street Madison, Wisconsin 53726

Phone: (608) 263-1745 Email: plreming@wisc.edu



Testimony of Dr. Frank Byrne, St. Mary's Hospital (Madison), supporting Assembly Bill 834,

Good afternoon, Chairman Hines and members of the Assembly Committee on Public Health. Thank you for the opportunity to express our strong support for Assembly Bill 834 (AB 834).

I am Dr. Frank Byrne, President of St. Mary's Hospital here in Madison. I am here today representing all of the health care providers and facilities of SSM Health Care of Wisconsin, which includes St. Clare Hospital and Health Services in Baraboo.

SSM Health Care, the first health care organization to win the Malcolm Baldrige National Quality Award, owns, operates or is affiliated with hospitals and nursing homes throughout southern Wisconsin. We are a nonprofit, Catholic system that cares for all patients who come through our doors regardless of their ability to pay.

In 2004, SSM Health Care became one of the largest systems in the nation to "go smoke free". This means no smoking is allowed on our campuses, by employees, patients or their families. While this creates challenges, there is no doubt it is the healthy thing to do. We are health care providers. Our mission is improving care. We believe our smoke free policy is leading by example. Beyond that, it is simply the right thing to do, for our employees, for our patients and for their families. It is also the right thing for Wisconsin to do.

You will hear many statistics today, on both sides of the discussion. Please let me reference just two of them: First, the National Cancer Institute estimates that secondhand smoke causes 3,000 deaths annually from lung cancer and over 35,000 deaths every year from ischemic heart disease. In plain terms, these people die as a result of the unhealthy actions of others. Second, waiters and waitresses have four times the rate of lung cancer than the rest of the population. While we are sympathetic to the concerns of small business owners, it is inexcusable to place employees at such a risk when proposals such as AB 834 can reduce this risk while providing businesses with a level playing field.

Many of you are rightfully concerned about government interference in the day-to-day operations of business. As a health care provider, I am quite familiar with government regulation! However, as Oliver Wendell Holmes, Jr., once said, "The right to swing my fist ends where the other man's nose begins." To paraphrase, the right to expose our state's workforce to secondhand smoke ends where their lungs begin.

While I am a hospital president, I am first and foremost a physician. My specialty is pulmonary and critical care medicine, so I am acutely aware of the devastating personal impact of smoking and secondhand smoke. I had the professional duty and sacred privilege of serving as physician to hundreds of patients who had their lives shortened and quality of life diminished by diseases

Please Support AB 834 February 27, 2008 Page 2

such as lung cancer, emphysema, and heart disease because at some point in their life they chose to smoke, and scores of adolescents and adults with asthma whose capabilities were impaired because of exposure to secondhand smoke in the workplace or home.

These impacts are often borne by our children. According to the National Cancer Institute, exposure to secondhand smoke results in 10,000 cases of low birth weight, 2,000 cases of Sudden Infant Death Syndrome (SIDS) and more than 8,000 new cases of asthma annually. First and foremost, these health issues are personal tragedies. In addition, they impose a huge cost to our society and our business community.

For example, the Society of Actuaries has determined that secondhand smoke cost the U.S. economy nearly \$10 BILLION annually: \$5 billion in medical costs associated with exposure to secondhand smoke and an additional \$4.6 billion in lost wages. Beyond the health costs and wages, let's look at the loss of productivity; the U.S. Centers of Disease Control and Prevention estimate that smoking and secondhand smoke cost \$92 BILLION in productivity losses annually.

Additionally, all of these health care costs are a drain on the broader health care system, consuming clinician, staff and financial resources that could be better directed toward wellness and preventive care. If our nation is ever truly going to control health care costs, this is where much of that savings will originate. This will not be possible until we make societal and cultural changes that create healthier environments and make it easier to avoid obvious deadly and costly health hazards, such as secondhand smoke.

Thus, even as we try to address the legitimate concerns of some small businesses, we must look at the other side of this discussion as I have just described. I help lead a hospital. I am quite familiar with government regulation, and I don't always like it. But from a fundamental conservative perspective, government policy should be driven toward the basic goals of protecting public health and safety.

AB 834 follows this directive and makes a bold, substantive step toward improving the health of our state's workforce. I would like to thank Representatives Wieckert and Richards, Senators Risser and Roessler and the other bill sponsors for their leadership on this issue. We encourage the Committee's support of this bill.

Thank you again for the opportunity to comment on this important legislation. If you have questions or would like additional information, please contact me, or Michael Heifetz, our Vice President for Governmental Affairs, at (608) 250-1225.

FRED A. RISSER

President Wisconsin State Senate

Testimony of Senate President Fred Risser Assembly Bill 834 Assembly Committee on Public Health February 27, 2008

Thank you Chairman Hines, and members of the Committee, for scheduling this hearing on Assembly Bill 834 relating to smoke free workplaces in Wisconsin.

Smoking related illnesses are the number one cause of preventable death in Wisconsin. More people die annually as a result of exposure to tobacco smoke than as a result of motor vehicle accidents, suicides, homicides and HIV/AIDS combined.

A statewide smoke free workplace policy is a matter of health and safety. Secondhand smoke contains 69 different carcinogens. A report of the United States Surgeon General published in 2006 concluded that there is no safe level of secondhand smoke and only smoke free environments afford full protection from the harms of secondhand smoke. No worker in Wisconsin should have to choose between a safe workplace and putting a meal on the table for their family. When it comes to promoting the health of our constituents, there should be no argument.

According to the University of Wisconsin Comprehensive Cancer Center, the economic impact of smoking is over \$3 Billion annually in health care and lost productivity. The costs to Medicaid alone are \$480 Million annually. At a time of soaring health care costs, a statewide smoke free workplace policy seems an obvious way to make health care more affordable--- for everyone.

A study released earlier this week by Wisconsin Public Interest Research Group (WISPIRG) found that requests for liquor licenses in Madison and Appleton have increased since the implementation of smoke free ordinances in those cities. As of January 2008, there are 365 licensed liquor establishments in Madison compared to 332 in July 2005 before the ordinance. In Appleton, there is a waiting list for Class B liquor licenses for the first time ever. The study also found that smoke free policies have either a neutral or positive economic impact. Smoke free policies are not detrimental to local economies.

Every poll taken on this issue shows overwhelming support in Wisconsin for a smoke free workplace, including taverns and bars. Almost every daily newspaper in Wisconsin has editorialized in support of this legislation. Over ½ of the people in the United States live in smoke free environments. Our neighbors in Illinois and Minnesota have gone smoke free in recent months. The Iowa House passed smoke free workplace legislation which is expected to pass the Senate and be signed by the Governor in the coming months.

While Legislative time left in this session is short, the time has come to take action on this significant public health issue. The health and welfare of our constituents is too important to subject them to one more day of this known public health threat.

Please pass Assemby Bill 834 without amendments.

Again, thank you for this hearing and listening.

Sweet, Richard

From: Parrott, Douglas

Sent: Thursday, February 28, 2008 8:02 AM

To: Adamczyk, Matt; Cady, Dean; Dasho, Zeke; Henneger, Patrick; Hoey, Joseph; Horne, Jon; Jessica

Topp; Nerad, Ben; Rep. Ballweg; Rep. Moulton; Rep. Nerison; Rep. Vukmir; Rep.Benedict; Rep.Black; Rep.Schneider; Rep.Wasserman; Schoenfield, Mike; Seaholm, Matthew; Smith-

Loomans, Sandra; Vasby, Tara; Williams, Vincent; Zehren, Dave; Zimmerman, Terri

Cc: Sweet, Richard

Subject: FW: written copy of my remarks at Assembly hearing on AB834 on Feb. 27, 2008

From: Lee Breezee [mailto:breezeeppl@yahoo.com] **Sent:** Wednesday, February 27, 2008 9:13 PM

To: Rep.Schneider; Rep.Hines **Cc:** Sen.Lassa; Sen.Risser

Subject: written copy of my remarks at Assembly hearing on AB834 on Feb. 27, 2008

Thank you Chairman Hines, and members of the committee for this hearing. My name is Lee Breezee from Nekoosa, Wisconsin.

I would like to speak in support of AB834. I worked many years in a paper mill and because of that I have terrible allergies and asthma because chemicals were sprayed on me several years ago.

I will suffer for the rest of my life because of careless management decisions, inconsiderate behavior of supervisors who wanted to show me that they had the power to allow that to happen. And I had no power to stop it because I needed to work to support my family just as bartenders, hospitality workers, musicians etc., have no choice many times.

Because of this incident I am allergic to many chemicals, smoke and many other things. When I go into a restaurant or tavern I have to be very cautious to make sure it is not too smokey. Even if I go into a resaurant that has a smoke free area, many times the smoke drifts over and it causes me problems.

I know I'm just one person out of many, but I believe the majority of people in Wisconsin are non-smokers and they want this bill passed. I'm not only thinking about myself but the innocent people, innocent children, and the workers that have to go in these places and spend hours putting up with second hand smoke which is just as bad or worse as smoking.

I feel our government should be here to protect and serve. I don't believe some members of the state senate is doing that by putting amendments on SB150. I hope the State Assembly won't do that to AB834.

We need a new culture in Wisconsin. We have to look beyond alcohol and smoking for a better culture to be proud of. We need to look to education, good jobs and a caring community where we all work together for the betterment of our state and citizens.

I hope the Wisconsin State Assembly has the foresight to show some members in the State Senate that the Assembly is above partisan politics, strong lobbyists and they are for the betterment of the majority of people of Wisconsin.